



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2021-0242; Airspace Docket No. 20-AWP-8]

RIN 2120-AA66

Removal of Class E Airspace and Modification of Class D and Class E Airspace; Point Mugu NAS (Naval Base Ventura Co) Airport, CA

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final Rule.

SUMMARY: This action removes the Class E airspace, designated as an extension to a Class D or Class E surface area, at Point Mugu Naval Air Station (NAS) Airport, Oxnard, CA. This action also modifies the Class E airspace extending upward from 700 feet above the surface. Furthermore, this action removes the Class E airspace extending upward from 1,200 feet above the surface and the Class E airspace extending upward from 5,000 feet mean sea level (MSL), as both of these areas are contained within the Los Angeles Class E en route airspace and duplication is not necessary. Lastly, this action updates the Class D and Class E5 airspace legal descriptions. These actions ensure the safety and management of visual flight rules (VFR) and instrument flight rules (IFR) operations at the airport.

DATES: Effective 0901 UTC, November 3, 2022. The Director of the *Federal Register* approves this incorporation by reference under Title 1 CFR Part 51, subject to the annual revision of FAA Order JO 7400.11, Airspace Designations and Reporting Points, and publication of conforming amendments.

ADDRESSES: FAA Order JO 7400.11F, and subsequent amendments can be viewed online at

www.faa.gov/air_traffic/publications/. For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

FOR FURTHER INFORMATION CONTACT: Nathan A. Chaffman, Federal Aviation Administration, Western Service Center, Operations Support Group, 2200 S. 216th Street, Des Moines, WA 98198; telephone (206) 231-3460.

SUPPLEMENTARY INFORMATION:

Authority for this Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority, as it would modify the Class D and Class E airspace at Point Mugu NAS Airport, Oxnard, CA, to support VFR and IFR operations at the airport.

History

The FAA published a notice of proposed rulemaking (NPRM) in the *Federal Register* for FAA-2021-0242 (87 FR 34597; June 7, 2022) to remove the Class E airspace designated as an extension to a Class D or Class E surface area, modify the Class D airspace, modify the Class E airspace beginning at 700 feet above the surface, and remove the Class E airspace beginning at both 1,200 feet above the surface and 5,000 feet MSL at Point Mugu NAS (Naval Base Ventura Co) Airport, Oxnard, CA. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Subsequent to publication of the NPRM, the FAA identified a discrepancy in the proposed Point Mugu NAS Airport's Class D airspace legal description. The FAA's definition of the acronym "NOTAM" changed from "Notice to Airmen" to "Notice to Air Missions" and the legal description in the NPRM was not correct. The legal description for the Class D surface area at Point Mugu NAS Airport now reflects this change. Additionally, the FAA identified a discrepancy in the proposed removal of Class E airspace at Point Mugu NAS Airport, CA. The NPRM proposed to remove "the Class E airspace extending upward from 5,000 feet above the surface." This proposal should have stated "the Class E airspace extending upward from 5,000 feet MSL."

Class D, Class E4, and Class E5 airspace designations are published in paragraphs 5000, 6004, and 6005, respectively, of FAA Order JO 7400.11F, dated August 10, 2021, and effective September 15, 2021, which is incorporated by reference in 14 CFR 71.1. The Class D and Class E airspace designations listed in this document will be published subsequently in FAA Order JO 7400.11.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021. FAA Order JO 7400.11F is publicly available as listed in the "ADDRESSES" section of this document. FAA Order JO 7400.11F lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

The FAA is amending 14 CFR Part 71 by removing the Class E airspace, designated as an extension to a Class D or Class E surface area, at Point Mugu NAS Airport, Oxnard, CA. This airspace area is southwest of the airport and is no longer required to contain IFR arrivals descending below 1,000 feet above the surface.

Also, this action modifies the Class E airspace extending upward from 700 feet above the surface. This airspace is designed to contain arriving IFR aircraft descending below 1,500 feet above the surface and departing IFR aircraft until they reach 1,200 feet above the surface. The current area is larger than required and this airspace area is reduced to a 6.8-mile radius of the airport.

Further, this action removes the Class E airspace extending upward from 1,200 feet above the surface and the Class E airspace extending upward from 5,000 feet MSL. The two airspace areas are wholly contained within the Los Angeles en route airspace area and duplication is not necessary.

Lastly, this action makes several administrative modifications to the Class D and Class E5 legal descriptions. To match the FAA database, the city name in the first line of the Class D text header is modified from “Point Mugu NAWS” to “Oxnard.” To match the FAA database, the airport name in the second line of the Class D and Class E5 text headers is modified to read “Point Mugu NAS (Naval Base Ventura Co) Airport, CA.” To match the FAA database, the geographic coordinates in the third line of the Class D and Class E5 text headers are modified to read “lat. 34°07'09"N., long. 119°07'11"W.” As the Point Mugu NAS Airport’s Class D airspace abuts the Class D areas for Oxnard and Camarillo Airports, the geographic coordinates for Point Mugu NAS Airport’s Class D are updated to more accurately define the common borders of the Class D areas, which do not represent a change to the current boundaries. Finally, the term “Airport/Facility Directory” in the last sentence of the Class D airspace description is outdated and is changed to read “Chart Supplement.”

Class D, E4 and E5 airspace designations are published in paragraphs 5000, 6004, and 6005, respectively, of FAA Order JO 7400.11F, dated August 10, 2021, and became effective September 15, 2021, which is incorporated by reference in 14 CFR 71.1. The Class D and Class E airspace designations listed in this document will be published subsequently in FAA Order JO 7400.11.

FAA Order JO 7400.11 is published annually and becomes effective on September 15.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial, and unlikely to result in adverse or negative comments. It therefore: (1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT regulatory policies and procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5-6.5a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant the preparation of an environmental assessment.

List of Subjects in 14 CFR § 71

Airspace, incorporation by reference, navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the FAA amends 14 CFR part 71 as follows:

PART 71 - DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR part 71.1 of FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021, is amended as follows:

Paragraph 5000. Class D Airspace

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AWP CA D Oxnard, CA [Amended]

Point Mugu NAS (Naval Air Station Ventura Co) Airport, CA
(lat. 34°07'09"N., long. 119°07'11"W.)

That airspace extending upward from the surface to and including 3,000 feet MSL within a 4.3-mile radius of the Point Mugu NAS, excluding that portion north and west of a line beginning at lat. 34°09'18.02"N, long. 119°02'40.92"W; to lat. 34°10'34.70"N, long. 119°04'1.71"W; to lat. 34°10'22"N, long. 119°09'27"W; to lat. 34°07'44.53"N, long. 119°12'18.39"W. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Air Missions. The effective date and time will thereafter be continuously published in the Chart Supplement.

Paragraph 6004. Class E Airspace Areas Designated as an Extension to a Class D or Class E Surface Area

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AWP CA E4 Point Mugu NAWS, CA [Removed]

Point Mugu NAWS, CA
(lat. 34°07'13"N., long. 119°07'15"W.)
Point Mugu TACAN
(lat. 34°07'24"N., long. 119°07'19"W.)

Paragraph 6005. Class E Airspace Areas Extending Upward from 700 feet or more above the Surface of the Earth.

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AWP CA E5 Oxnard, CA [Amended]

Point Mugu NAS (Naval Air Station Ventura Co) Airport, CA.

(lat. 34°07'09"N., long. 119°07'11"W.)

That airspace extending upward from 700 feet above the surface within a 6.8-mile radius of the Point Mugu NAS Airport.

Issued in Des Moines, Washington, on August 17, 2022.

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